**APRA AU & NZ live streaming guidance notes - 27 March 2020**

Please note that this information is subject to change.

Our rates for the use of music online are generally higher than comparative rates for traditional uses including because of the additional rights used and the different business models.

That said, given the unprecedented times we're currently living in, and while we reserve the right to review each request on its individual circumstances, subject to:

* the exclusion of some industry-specific schemes that already cover streaming; and
* the fact that we do not necessarily control all the relevant rights that a business may require,

during this ‘lock-down period’ our general position is that we want do not want to be a hindrance to keeping the economy moving and accordingly where an existing licensee is merely transitioning what it did at its business to online, we will look to license and charge at standard rates.

The highly concessional position we’re adopting is open to review as the situation develops.

Please also be advised that this guidance **only relates to** **live streaming of music performances** and does not apply to pre-recorded performances made available online and does not apply to the use of sound recordings.  A separate guide applies for the policy we are applying to OneMusic licence schemes such as Dance Schools and Fitness Centres.

1. Live streamed concerts – individual website and live stream platforms (would include Livestream.com, Vimeo, Moveitae + others)

* Interim measures have been put in place to assist the artist community with the live streaming of music concerts;
* On a temporary, emergency-based non-precedential basis, the licence Fee for streaming live music concerts from a users own platform will be the greater of 2.2% of gross revenue or a minimum fee of $82.50 (inc GST) per event or per day for multiday events;
* Archiving (saving streams for later viewing) is ***not*** permitted under this licence under any circumstances on any platform;
* Each concert needs to be geo-blocked to AU & NZ;
* Licence Backs are available for artists performing their own works.
* This licence does not cover the use of any pre-recoded sound recordings.
* Clients should be aware that if they continue to live stream concerts after the lock-down period, standard rates will apply at 12% of revenue (ex GST) subject to minimum fees.

Contact online@apra.com.au for licensing of live streams on own website/platform.

1. Facebook/Instagram/YouTube – Non-Commercial Live Stream

* You can stream APRA-licensed music in your concert under our existing arrangements with these platforms, but please note this is for live stream only and excludes archiving.  We invite you to encourage viewers to donate to Support Act.
* APRA encourages our writer members to submit setlists for performances on these services.
* If you intend to charge users to watch the concert or carry advertising the above interim rates will apply, subject to review. Please contact online@apra.com.au about a separate licence.
* If you wish to archive the concert for later streaming, you will require publisher permission for this use.

1. Facebook/Instagram/YouTube – Commercial Live Stream

* Where the host is charging for the live stream (includes advertising) or the live stream is commercial in nature i.e. “brought to you by….” [examples could be Commonwealth Bank, Coca-Cola, Marshall, Sony]
* APRA will review on a case by case basis whether we are able to offer a licence and if so, on what terms.

Please forward requests to online@apra.com.au

1. Subscription or ticket based Live Stream Services – Where a service is set up to host regular live streams for a subscription cost or ticket price.

* On a temporary, emergency-based non-precedential basis, the licence Fee for Live Stream Services streaming live music concerts on a regular basis will be the greater of 2.2% of gross revenue or a minimum fee of $82.50 (inc GST) per event or per day for multi-day events;
* These rates are currently available until 30 September 2020. Clients should be aware that if they continue to live stream concerts from their Live Stream Service after this time, standard rates will apply at 12% of revenue (ex GST) subject to minimum fees.
* Archiving (saving streams for later viewing) is not permitted under this licence under any circumstances on any platform;
* Each concert needs to be geo-blocked to AU & NZ;
* This licence does not cover the use of any pre-recoded sound recordings.

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